



WARRINGTON TOWNSHIP BOARD OF SUPERVISORS MINUTES FOR September 28, 2021 - 6:00 PM

The written minutes are a summary of the September 28, 2021 Board of Supervisors meeting. For a complete dialog visit the Township's website, www.warringtontownship.org.

This meeting was held hybrid both in person at the Township building and via Zoom link. The recorded meeting can be viewed the day after through the Township's website, www.warringtontownship.org

Supervisors: Chair Fred R. Gaines; Vice Chair Ruth Schemm; Mark E. Lomax, Member and William M. Connolly, Member; Eileen Albillar, Member

Staff present: Barry P. Luber, Township Manager; Terry Clemons, Esquire, Clemons Richter Reiss, Township Solicitor; Tom Zarko, P.E., CKS Engineers, Township Engineer; Christian Jones, Assistant Township Manager; Chief Daniel J. Friel, Police Department; Lee Greenberg, Director of Emergency Services and Code Enforcement; Joe Knox, Public Works Department; Jen Fielding, Executive Assistant to the Township Manager/Board Secretary.

CALL TO ORDER: Mr. Gaines called the meeting to order at 6:01 P.M.

PLEDGE OF ALLEGIANCE

Mr. Gaines followed the Call to Order with a pledge to the flag.

There were a total of 30 people who attended both in person and via Zoom.

PLEDGE OF ALLEGIANCE

BUDGET WORK SESSION

- **Departmental Personnel Requests. General Fund 5-year Outlook**

Mr. Luber highlighted the recent meetings with the Department Heads and the Board Liaisons leading up to this meeting. He presented personnel requests for Public Works, Police Department, and Emergency Management Services/Code Department.

Mr. Knox, Chief Friel and Mr. Greenberg all answered questions of the Board of Supervisors regarding those requests.

Public Works is requesting 1 Full-time laborer equipment position and 1 Part-time laborer position. Public Works has been managing a growing housing development with more roads and resources spread thin. Mr. Lomax thanked Mr. Knox for the work he has done and supports these positions. Ms. Schemm also supports these positions.

The Police Department is requesting a Full-time Administrative Assistant and 1 Part-time Civilian Services Officer. Chief Friel answered questions regarding the current Officer staffing. Mr. Lomax thanked Chief Friel for his efforts and sacrifices during Covid-19 in 2020 cutting staff, as well as the way the Department handled protests and community relations during that same time. Chief Friel

elaborated on the testing process for the Corporal position and indicated that this will be moving forward most likely in 2022.

Emergency Services is requesting 1 additional Full-time firefighter and a \$1.00/hour increase for those certified in Advanced Life Support. Mr. Lomax thanked the entire Department and indicated that their preparedness was evident during the recent storms and supports this increase and this position. Ms. Schemm also supports both requests. She indicated that Mr. Greenberg needs to focus his time and energy on preparing for more extreme weather events instead of having to support calls. Mr. Gaines commended Mr. Greenberg and Chief Bean and the Full-time, Part-time career staff and the volunteers for working together.

The Codes Department will be implementing a new Rental Inspection Program in 2021 and this will require 1 Full-time Inspector and 1 Full-time Rental Clerk. Ms. Schemm supports these positions and thanked Mr. Greenberg for taking on the role of inspector for many issues as they arise, but he has been forced to be more reactive, rather than proactive in this area. The Inspection program will allow the Inspector to be proactive in reviewing properties on an annual basis. Mr. Lomax is excited about this program and supports these positions.

Mr. Luber further elaborated on the 5-year Outlook. Discussion ensued about the Rate Stabilization Fund and the possibility of incremental tax increases over the next five years. Mr. Connolly asked about organic revenue growth. Mr. Luber answered that it would be easier to project organic growth if Warrington Township were fully built out, but since there are still new houses being developed this is harder to predict. Further discussion ensued regarding cell towers and 5G.

More information will follow at the October 12, 2021, meeting where the Supervisors will have additional opportunities to ask questions and review the budget and the 5-year Outlook. Mr. Gaines reminded those attending that the budget session has been recorded and anyone is welcome to review it on the website. As well, if there are any questions, you may submit a Right to Know Request to Jen Fielding, our Right to Know Officer on the website under How Do I?

PUBLIC COMMENT *(The Board will hear from any interested resident or taxpayer who would like to comment on an item not on this evening's agenda. Respondents are asked to keep their comments to 3 minutes.)*

Bucks County Commissioner, Bob Harvey was a guest for the evening. He indicated that before Covid-19 and many meetings were canceled or went to Zoom-only he was meeting with each municipality within the County. But when things were shut down, he was not able to reach out as easily. He has resumed those visits and provided an update on County initiatives.

This included: Covid-19 vaccinations, Ready for 100 program, mail-in ballots and other items. Mr. Connolly thanked Mr. Harvey for the support from the Bucks County Planning Commission on the recent rewrite of the Zoning Ordinance.

Terry Suozzo, 513 Grady Ave; Deborah Edwards, 503 Grady Ave – shared concerns regarding neighbors who have not kept their shrubs and trees trimmed over a shared drive resulting in Waste Management not being able to provide service since July, 2021. Mr. Luber and Mr. Greenberg have been working with the neighbors and will continue to work with Ms. Suozzo and Ms. Edwards to resolve this issue.

EXECUTIVE SESSION – Mr. Gaines reported that there was an Executive Session held regarding a legal matter.

PRESENTATION – Update on Emergency Response for recent storms in Warrington Township – Lee Greenberg, Director of Emergency Services and Code Enforcement

Mr. Greenberg provided a concise summary of the recent storms in Warrington Township, especially Hurricane Ida. Originally deemed a Category 4 Hurricane by the Weather Service, by the time it hit landfall it was reduced to a Tropical Storm. Reports were mixed. It was difficult to know how to predict the path of the storm or the damage it could bring. In the tri-county area there were tornadoes and 6+ inches of rain and high winds. Five residential properties reported damage, all minor in nature. There was no commercial damage and no damage to the Township buildings. The basins and dams worked as they should. In the case of Barkley Dam, the water did go over the dam, but then receded with no damage.

Mr. Greenberg reported that both Station 29 and Station 78 had full crews working. Mr. Greenberg also opened the Emergency Operations Center (EOC). The County was inundated with calls, so the EOC was able to help manage calls and dispatch crews, as needed.

During six hours from 6:07pm to 12:00pm there were 15 calls; 5 swift-water rescues; and 10 varied calls, including assisting Warminster and Doylestown. The aftermath on the next day the crews checked for damage in tandem with Public Works – roofs and buildings – and there was none. They checked all equipment for damage and there was none. They utilized social media to let the public know areas to avoid and ways to contact them for assistance.

Ms. Albillar indicated that it was luck that kept Warrington Township from experiencing some of the damage of other municipalities, but “what was not luck was our preparedness” by Mr. Greenberg and the EMS team. “We were ready. And that reassures my confidence in our Township.”

Mr. Greenberg thanked all the volunteers who supported the crews during this emergency and indicated that they provided a valuable service.

Further discussion ensued regarding potential “cut off” scenarios for the trucks to traverse the Township. Mr. Greenberg indicated that there is a plan in place if that were to happen, including reaching out to other companies, if necessary. Mr. Lomax thanked Mr. Greenberg and all his efforts. Mr. Gaines also thanked Mr. Greenberg for being prepared.

PRESENTATION – APA Lions Pride Award – Pattie Guttenplan, APA PA Southeast, Great Places

Ms. Guttenplan presented Warrington Township with the APA Award for Lions Pride Park. She read the definition of Great Places and thanked all involved in this project, including the partnership among the Township, the Lions and students.

PUBLIC HEARING on Comprehensive Plan Amendment

Ms. Kushto opened the hearing at 7:50pm. She reported that the hearing had been advertised twice, including sending notice to all neighboring school districts and municipalities. Ms. Kushto closed the hearing at 7:55pm.

1. NEW BUSINESS:

- a. Consider for approval Resolution adopting the Comprehensive Plan Amendment to the 2018 Township Comprehensive Plan to agree with the New Zoning Ordinance**

Mr. Connolly made a Motion to accept the Resolution adopting the Comprehensive Plan Amendment to the 2018 Township Comprehensive Plan to agree with the New Zoning Ordinance; Mr. Lomax seconded. All in favor, the Motion passed 5-0.

b. Consider for approval MMO (Minimum Municipal Obligation) for three Pension Plans

Mr. Lubber presented the pension plans and indicated that they are strong with a healthy return on investments.

Mr. Lomax asked if these are budgeted. Mr. Lubber reported that yes, they are budgeted. Mr. Connolly is pleased with this.

Mr. Lomax made a Motion to approve the Minimum Municipal Obligation for three Pension Plans; Ms. Albillar seconded. All in favor, the Motion passed 5-0.

c. Discussion of House Bill 419 Concerning Speed Timing Devices

Mr. Gaines provided details of this Bill and reported that it was the first time that the Pennsylvania Senate and House are considering speed timing devices. He is in favor of supporting this Bill as there are several places in the Township where it is difficult to monitor speeding, including Route 202 Parkway. If the Board agrees with supporting this Bill, Mr. Lubber will send a letter of support to State Senator Maria Collett and State Representative Todd Polinchock.

Mr. Lomax made a Motion to support House Bill 419 Concerning Speed Timing Devices; Mr. Connolly seconded. All in favor, the Motion passed 5-0.

2. OLD BUSINESS: None

3. SUPERVISOR COMMENTS:

Mr. Gaines - PSATS Resolutions

Mr. Gaines reported that Ms. Albillar is the official Delegate for Warrington Township at the PSATs upcoming meeting, as voted at the Organizational Meeting in January, 2021. She will be responsible to provide PSATs with Warrington Township's opinion regarding the 75 Resolutions on the agenda. The Board reviewed the Resolutions and identified the following: 21-27: Reject; 21-6: Reject; 21-19: Support; 21-29: Support; 21-24: Reject; 21-39: Oppose; 21-40: No Action; 21-41: Reject; 21-42: No Action; 21-28: Support; 21-55: Reject; 21-62: Reject; 21-66: Support; 21-67: Approve; 21-68: No Action; 21-69: Oppose; 21-70: Approve; 21-71: Support; 21-72: Reject.

Ms. Schemm - Wrap Up Warrington Day

Ms. Schemm reported that Warrington Day, 2021, was a huge success for many reasons. She thanked the staff who helped to prepare and manage the day, including: Barry Lubber, Andy Oles, Jeanine Winslow, Jen Fielding, Amy Organek, and Public Works. She also indicated that this day is a wonderful opportunity for the Township to build community relationships, especially for the Police Department and Emergency Management Services and the firefighters. The Board were able to provide information to the residents about the work they are doing. She mentioned the Holbert Racing event this Saturday. As well, the Lions Club rubber duckie fundraiser raised \$6,000 for Lions Pride Park. The evening included fireworks, great music and food.

Mr. Lomax – also commented on Warrington Day and its success. He further mentioned the passing of his friend and former Veterans Affairs member, Andy Bracey.

Ms. Albillar – also commented on Warrington Day and the Fishing Derby. She thanked the organizers of this event and thanked Public Works for preparing the trails leading up to the event. She said that the attendees caught 60 fish. She also commented on the fireworks – her first time seeing them in person. She agreed that there were many thousands in attendance and the quality was excellent. She did have one suggestion for next year – providing low-level lighting for the time between “dark” and the start of the fireworks. Mr. Luber will add that to the post-event list for 2022.

Mr. Connolly – reported that he became aware of a lawsuit sent to several homeowners along Rt 611 by a developer who would like to develop the properties in a particular neighborhood. He indicated that there were three deed restrictions at issue. One: the land cannot be developed for anything except residential; Two: whites only clause; and Three: all development must be approved by a long defunct engineering firm. This neighborhood involves 18 homes. He is concerned that the residents might not be fully aware of the legality of the letter or what the developer is seeking to achieve. And, he further believes that the Township should have been informed about this letter being sent to the residents in advance.

Mr. John Kilcoyne, 2143 Georges Lane addressed the Board as one of the recipients of that letter and lawsuit. He explained that the neighbors were very confused and asked assistance from the Board in this matter. Mr. Connolly and Ms. Kushto answered some of Mr. Kilcoyne’s questions and indicated that they would be in touch for further discussion.

4. MANAGER’S REPORT:

- a. Goodman Properties-Warrington Cares Sprint Triathlon video – Ms. Fielding showed a PowerPoint of both photos and a video from the Triathlon and Warrington Day.

5. ENGINEER’S REPORT:

- a. Mr. Zarko reported that paving program is moving forward.

6. SOLICITOR’S REPORT: None at this time.

7. APPROVAL OF BILL LIST:

- a. 2021 Invoices for the period September 15, 2021 to September 27, 2021 in the amount of \$669,937.24.

Mr. Lomax made a Motion to approve the Bill List for the period September 15, 2021 to September 27, 2021 in the amount of \$669,937.24; Ms. Albillar seconded. All in favor, the Motion passed 5-0.

8. CONSENT ITEMS:

Mr. Gaines asked if any clarification was needed for the consent items as presented.

- a. Consider approval of Minutes for September 14, 2021 Board of Supervisors meeting
- b. Consider Resolution to Waive SALDO sign height requirement at 1438 Easton Road in Corridor Overlay District.
- c. Consider approving a 2-year contract with Hometown Press for the LINK newsletter at no charge to the Township.

- d. Consider for Approval Certificate of Completion #2 for Emerson Farm
- e. Consider recommendation from Planning Commission to send McAllister's Deli to the Building Permit Phase
- f. Consider extending Outdoor Dining to April 30, 2022

Mr. Lomax made a Motion to approve the Consent items a-f; Ms. Schemm seconded. All in favor, the Motion passed 5-0.

PUBLIC HEARING – to consider the following Conditional Use Applications:

Joseph and Rosemarie Cardamone and Brian and Kim Cardamone for the Cardamone Tract located at the intersection of Stump and Pickertown Roads, Warrington, PA 18976 and identified as TMP 50-4-71 and 50-4-71-1. The Application seeks approval pursuant to §370-403.E of the Zoning Ordinance, to allow 3 flag lots in a 5-lot subdivision in the RA Zoning district.

Ms. Kushto opened the hearing at 9:00pm. She reported that the applicant has requested a continuance to December 14, 2021.

Mr. Gaines reported that the Township was only given notice of this request on the morning of September 28, 2021, which is in violation of Act 65. According to this Act, public notification must occur 24 hours in advance of the meeting. In the future, if the applicant experiences witnesses who cannot attend or any other reason for a request for a continuance, they will be required to at least appear. The hearing will be held and information shared with the public. It is an inconvenience to the Board of Supervisors and to those who wish to comment on the Application.

Ms. Kushto closed the hearing at 9:03pm.

Walnut Creek Acquisitions, LP for property known as Laurel Crossing located at 3501 County Line Road, Warrington, PA 18976 and identified as TMP 50-4-67. The Application seeks approval pursuant to §370-403(A) of the Zoning Ordinance to construct a Conservation Residential Development consisting of 22 single-family detached dwelling units in the R-A Residential Agricultural District.

Ms. Kushto opened the hearing at 9:04pm. She reported that there would be no public comment during the hearing. The hearing is being recorded and can be requested. The applicant invited witnesses to testify. The Board of Supervisors had a chance to ask questions.

Ms Kushto closed the hearing at 9:58pm.

Walnut Creek Acquisitions, LP – Board action

As a result of the decisions made during the hearing, the Board of Supervisors discussed taking action to move forward. This included 1.a. and 1.b.

- a. **Consider Preliminary Plans for a 22 Lot, Conservation Residential Development in the RA Zoning District known as “Laurel Crossing; Walnut Creek Acquisitions (3501 County Line Road, TMP # 50-004-067)”, and**

Mr. Connolly made a Motion to Consider Preliminary Plans for a 22 Lot, Conservation Residential Development in the RA Zoning District known as “Laurel Crossing; Walnut Creek Acquisitions (3501

County Line Road, TMP # 50-004-067)” with the following conditional approvals from PennDOT to include: Traffic Engineer’s Report, Engineer’s Report, Deceleration lane and a dedicated left turn lane; Mr. Lomax seconded. All in favor, the Motion passed 5-0.

b. If appropriate, authorize the Township Solicitor to prepare an Approval Resolution.

Mr. Connolly made a Motion to authorize the Township Solicitor to prepare an Approval Resolution for a 22 Lot, Conservation Residential Development in the RA Zoning District known as “Laurel Crossing; Walnut Creek Acquisitions (3501 County Line Road, TMP # 50-004-067)” subject to the Traffic Engineer’s Report, Engineer’s Report, Deceleration lane and a dedicated left turn lane, to also include the 14 waivers requested and compliance with both the Conditional Use and Zoning Hearing Board recommendations, and finally, a covered spot for residents to receive their mail from the US Postal Service; Mr. Lomax seconded. All in favor, the Motion passed 5-0.

There being no further business, Mr. Lomax motioned, Mr. Connolly seconded to adjourn the meeting at 10:19pm.

Respectfully submitted By,


Jeannine Fielding, Board Secretary

